

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner has rejected claims 7-9 and 12-14 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,103,994 to *DeCoster et al.* in view of U.S. Patent No. 5,343,016 to *Davis et al.*

Claim 7 has been amended to include the elements of claim 8.

In addition, claim 7 has been amended to recite that the external component is at least one of "a welding torch or a robot control".

It is respectfully submitted that *Decoster et al.* does not disclose that the external component is at least one of "a welding torch or a robot control".

Instead *DeCoster et al.* discloses simple remote control units such as a remote control device 29, a trigger only device

30, a finger tip control device or a foot control device 31, and a hand control device 32. There is no indication that these remote control devices actually perform any type of welding step or function such as performed by the welding torch or robot control as claimed in claim 7.

However, *DeCoster et al.* does not disclose a device having an external component, such as a welding torch, that both receives instructions or welding parameters from a central unit and sends instructions or welding parameters back to the central unit. Therefore, it is respectfully submitted that features of claim 7 are not disclosed in the reference to *DeCoster et al.*

The Examiner has stated that it would be obvious to combine the teachings of *DeCoster et al.* with the disclosure of *Davis et al.*

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined)

must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP § 2143

It is respectfully submitted that there is no suggestion to combine the reference of *DeCoster et al.* with the reference of *Davis et al.*

DeCoster et al. does not operate using a control program. Instead, it operates using remote control manually operatable elements disclosed in FIG. 1. In addition, *DeCoster et al.* does not disclose a system that performs the following function:

evaluating any signals received from said at least one external operating unit

In fact, it is respectfully submitted that *DeCoster et al.* teaches away from the above step. For example, *Decoster et al.* states in column 2, lines 62-66 that "the improved welding device also would be substantially free of relays and other expensive circuitry."

If this is the case, then it is respectfully submitted that there would be no suggestion to combine the *DeCoster et al.* reference with the *Davis et al.* reference to arrive at the present invention which is much more advanced than the *DeCoster et al.* device.

In addition, *Davis et al.* discloses a microprocessor controlled welding apparatus which is capable sensing external switches or other devices. However with *Davis et al.*, it is not possible to selectively allocate a selected welding parameter to an external operating unit provided on an external component. In addition, with *Davis et al.*, it is not possible to perform the following step:

"setting or changing said welding parameter, based upon activation or adjustment of the external operating unit provided on the external component."

Thus, it is respectfully submitted that claim 7 is not obvious in view of the references to *DeCoster et al.* or *Davis et al.* taken either alone or in combination.

In addition, even after combining these two references it is respectfully submitted that there can be no reasonable

expectation of success of arriving at the present invention as claimed in claim 7. This is because the present invention as claimed in independent claim 7 involves complex processing and computer signal apparatus which cannot simply be connected together via the abstract teachings of two entirely different references. For example the remote unit of *Decoster et al.* is described as a simple hand or foot control, See column 4, lines 30-44. There is no indication that this remote control would be adapted to perform along with the welding apparatus the following step:

selectively allocating said at least one adjusted welding parameter to said at least one external operating unit provided on said at least one external component.

Thus, it is respectfully submitted that the design and processing of *DeCoster et al.* would have to be substantially altered to include elements disclosed in *Davis et al.*. For example, *DeCoster et al.* discloses a system that is not equipped to receive or evaluate any signals from external operating units as recited in pending claim 7.

Furthermore, even after combining these two references, it is respectfully submitted that the combination does not teach the following step:

invoking a control program in ~~said~~ the welding apparatus which occurs by renewed activation of at least one external operating unit on at least one external component comprising at least one of a welding torch or a robot control, wherein said at least one external operating unit is in communication with the welding apparatus;

This amended paragraph of claim 7 includes elements of claim 8 as well as features found in the specification on page 4 lines 9 and 10. Thus, for this additional reason it is respectfully submitted that claim 7 is allowable.

Therefore, it is respectfully submitted that dependent claims 9 and 12-14 are patentable over the above cited references taken either singly or in combination.

New dependent claims 15 and 16 which depend from claim 7 have been added. It is respectfully submitted that these dependent claims are allowable over the above cited references taken either singly or in combination as well.

In addition, new claims 17-20 have also been added. These claims are supported by the specification and in the drawings,

for example, the feature of the external component being a welding torch is shown by way of example in FIG. 1 as reference numeral 10, and discussed in the specification on page 4 lines 8-10.

In addition, the description of the data exchange between the welding apparatus and the external components is described in the second paragraph of page 13 in the specification.

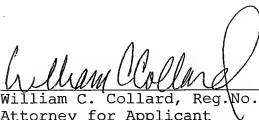
It is respectfully submitted that neither *DeCoster et al.* nor *Davis et al.* disclose an external component in the form of a welding torch that stores operating parameters and which is capable of having its operating parameters updated.

In addition, it is respectfully submitted that neither *DeCoster et al.* nor *Davis et al.* disclose at least a bi-directional communication of information relating to welding parameters.

Therefore, it is respectfully submitted that these claims are allowable as well.

Early allowance of the remaining claims is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, reading "William C. Collard". The signature is fluid and cursive, with a large loop at the end of the last name. It is written over a horizontal line.

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Enclosure: Extension of time

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